

Vol. I
TRANSCRIPT OF RECORD

(Pages 1 to 462)

Supreme Court of the United States

OCTOBER TERM, 1955

No. 48

**COMMUNIST PARTY OF THE UNITED STATES OF
AMERICA, PETITIONER,**

vs.

SUBVERSIVE ACTIVITIES CONTROL BOARD

**ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PETITION FOR CERTIORARI FILED APRIL 13, 1955

CERTIORARI GRANTED MAY 31, 1955

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1955

No. 48

COMMUNIST PARTY OF THE UNITED STATES OF
AMERICA, PETITIONER,

vs.

SUBVERSIVE ACTIVITIES CONTROL BOARD

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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IN THE
United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14,850

COMMUNIST PARTY OF THE UNITED STATES OF
AMERICA, *Petitioner,*

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD,
Respondent.

On Petition to Review and Set Aside an Order of the
Subversive Activities Control Board

JOINT APPENDIX

VOLUME I

(Pages 1 to 462)

SUBVERSIVE ACTIVITIES CONTROL BOARD

HERBERT BROWNELL, JR., ATTORNEY GENERAL
OF THE UNITED STATES

PETITIONER

VS.

COMMUNIST PARTY OF THE
UNITED STATES OF AMERICA

RESPONDENT

REPORT OF THE BOARD



PRESENTED BY MR. McCARRAN

APRIL 23 (legislative day APRIL 6), 1953.—Ordered to be printed

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SUBVERSIVE ACTIVITIES CONTROL BOARD

No. 51-101

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER *v.* THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, RESPONDENT

William A. Paisley, Frank DeNunzio, Robert B. Gaston, Noel E. Story, Benjamin F. Taylor, Jr., Rourke J. Sheehan, Clifford J. Nelson, Nathan B. Levin, for Petitioner.

Vito Marcantonio, John J. Abt, Joseph Forer, for Respondent.

REPORT OF THE BOARD

On November 22, 1950, the Attorney General of the United States, Petitioner herein, acting under Section 13 (a) of The Subversive Activities Control Act of 1950, hereinafter called the Act, filed a petition with the Board for an order requiring the Communist Party of the United States of America (CPUSA), Respondent herein, to register with the Attorney General as required by Sections 7 (a), (c), and (d) of the Act. The petition alleges that Respondent is a Communist-action organization as defined in the Act and as measured by the standards specified therein, and it sets forth numerous allegations of fact in support of its contention.

A copy of the petition was served by Petitioner upon Respondent on November 24, 1950. Answer under protest was filed by Respondent on February 14, 1951, and on April 3, 1951, an amended answer was filed.¹

In the amended answer Respondent admits that it was organized in 1919 and has been in existence continuously since that date. Otherwise, the substance and effect of its answer is to deny that Respondent fits the definition and standards of a Communist-action organization as alleged in the petition.

Hearings for the purpose of taking evidence on the petition commenced on April 23, 1951, before three members of the Board sitting as a hearing panel.

On October 20, 1951, one member of the Hearing Panel became unavailable to the Board by virtue of the adjournment of Congress without taking action upon his nomination to the Board. The hearing proceeded before the remaining two members of the Hearing Panel, who were present and participated during the entire hearing. Respondent, on October 23, 1951, moved the Board for an order striking all evidence theretofore received and all proceedings theretofore held

¹ In the interim period Respondent attacked the validity of the proceeding by various motions addressed to the Board, which were denied, and also instituted suit in the United States District Court for the District of Columbia for a preliminary injunction to stay the proceeding and for a permanent injunction and declaratory judgment (Civil Action 419-51). A three-judge statutory court on February 28, 1951, denied Respondent's motion for a preliminary injunction (*Communist Party of the United States v. McGrath*, 96 F. Supp. 47) but on March 13, 1951, issued an order staying answer and hearings before the Board to and including March 27, 1951, pending appeal. An extension of this stay was refused by the United States Supreme Court on March 26, 1951, and Respondent voluntarily discontinued the proceeding.

because of the failure of the Senate to confirm the one member, and because of alleged bias and prejudice of the Panel against Respondent, which motion was denied following oral argument thereon. Respondent thereupon instituted suit in the United States District Court to enjoin the hearings but was not successful.²

Hearings for the purpose of taking evidence on the petition, having commenced on April 23, 1951, terminated on July 1, 1952.

Briefs and proposed findings of fact were filed by each party on July 28, 1952. On August 6, 1952, reply briefs were filed by each of the parties, and on August 14, 1952, oral argument thereon was held before the Hearing Panel.

On October 20, 1952, the Hearing Panel issued its Recommended Decision finding Respondent to be a Communist-action organization as defined in the Act and recommending that the Board issue an order requiring Respondent to register as such with the Attorney General of the United States.

On November 21, 1952, Petitioner filed exceptions to the Recommended Decision requesting that the Board adopt the Panel's findings with certain minor changes of text. On November 24, 1952, Respondent filed its exceptions to the Recommended Decision, accompanied by a memorandum in support thereof, and four motions. Following oral argument, the motions were denied in our Memoranda Opinions and Orders of December 23, 1952, and February 24, 1953. Oral argument on the exceptions to the Recommended Decision was had before us on January 7, 1953.

Respondent notes 310 exceptions, most of which contain numerous grounds for attacking a specified portion or finding of the Recommended Decision. Illustrative of the nature of its exceptions is Exception No. 51, which reads as follows:

Respondent excepts to the statement as to the end towards which certain policies and activities of the Respondent are directed (p. 26, 11²⁹⁻³²), as being unsupported by the evidence, contrary to the evidence, based on irrelevant matters, based on constitutionally protected conduct and expression, and made with an improper reliance on pre-Act matters.

In addition to taking exception to virtually every statement in the Recommended Decision on what amounts to a line-by-line basis, Respondent in many instances made a general exception to entire captioned sections of the Recommended Decision, illustrative of which is Exception No. 102:

On the same grounds [same as exception No. 101; i. e., irrational, unsupported by the evidence, contrary to the evidence, beyond the scope of the petition, and based on an improper reliance on pre-Act matters] Respondent excepts to the entire section of the Recommended Decision which appears under the subheading "Trade-Union Activities" (pp. 50-58):

In addition to the foregoing, Respondent, by its Exception No. 310, attacks the Recommended Decision as a whole on the grounds that it is arbitrary; capricious; not in accordance with law; contrary to the Constitution, including the First and Fifth Amendments; made without the observance of procedure required by law; unsupported by the evidence or by a preponderance thereof; contrary to the evidence and a preponderance thereof; largely based on incompetent and irrelevant evidence and on testimony not entitled to credence;

² The United States District Court for the District of Columbia, on February 15, 1952, entered an order granting the Board's motion to dismiss, and dismissing the proceeding before the court. *Communist Party of the United States of America v. Peter Campbell Brown, et al.* (Civil Action 4648-51).

based on evidence and findings outside the scope of the petition; and largely resulting from improper use of, and reliance on, matters and events which antedate the enactment of the Act;³ further, that the Panel has not performed its function of weighing, analyzing, and describing the evidence and contentions of the parties; that the Panel has obscured, concealed, and misstated what the record actually shows; that it has so intermingled pre-Act and post-Act evidence as to confuse and misstate the record and vitiate its findings and conclusions; and, that the Panel's decision is clearly a product of bias and prejudice.

Respondent also preserves all exceptions which have accrued to it as a result of rulings adverse to it heretofore made by the Hearing Panel or the Board.

Notwithstanding the general, sweeping nature of these exceptions and their lack of substantive specificity, we have carefully examined and considered each of them, as well as the matters set forth in Respondent's memorandum in support thereof.

In making our findings herein, we have reviewed the entire record and we have appraised the Recommended Decision, and the exceptions taken thereto by both parties, in the light thereof. Except to the extent the exceptions of either party are expressly or impliedly incorporated herein, they are hereby expressly overruled as being unsupported by the evidence or otherwise lacking in merit.

In this report, we discuss the evidence under topical headings which in the main conform to the sequence of the criteria of Section 13 (e) of the Act which we are required to consider. This arrangement also substantially follows the allegations of the petition.

In making our findings herein, we have considered and weighed all the evidence of record. In weighing Petitioner's evidence, we have considered that certain of its witnesses fall into the category of "informers" and we have scrutinized their testimony accordingly; we have considered and resolved the inconsistencies in the testimony of certain of Petitioner's witnesses; we have considered the testimony of Petitioner's witnesses against the background of their various organizational positions and activities in the CPUSA which afforded the sources of their knowledge; and we have had the benefit of the Panel's observation of their demeanor while testifying. Viewing these considerations in the light of the whole record, we find no basis for disregarding the substance of their testimony.

We have likewise weighed and evaluated Respondent's evidence, taking into account that each of its three witnesses has a vital personal interest in the outcome of this proceeding; that in nature and substance the direct testimony of two of its witnesses amounted, in a large degree, to conclusory denials of the allegations of the petition and the criteria of Section 13 (e) of the Act; that important members of Respondent, whom Petitioner's witnesses had identified as being parties to, or present at, conversations which were detrimental to Respondent herein, were not called to rebut such testimony; and, that the Hearing Panel, having observed the demeanor of its witnesses as they testified, had some misgivings about certain of them.

It is noteworthy that the stenographic record herein comprises 14,413 pages and that in addition 507 exhibits, many of which are entire volumes, are part of the record. To set forth and resolve herein

³ The matters raised in the exceptions pertaining to Pre-Act evidence and Constitutional issues are dealt with later herein under "Legal Discussion."

all the conflicts between the evidence of the parties would unduly protract this report. Where warranted, however, we treat specifically with conflicts in the evidence and the credibility of the witnesses with regard thereto in the body of this report.

Applying the foregoing considerations, we have made our findings below. Such evidence of record that is inconsistent therewith is not credited.

A short biographical sketch of each witness, containing information pertinent to this proceeding, is contained in Appendix A, and a list of publications which are in evidence and have major importance in this proceeding is contained in Appendix B.

For clarity, it is desirable that we make certain findings based on the evidence herein concerning Respondent's publications and its general nature and organizational composition preliminary to setting out the body of the evidence.

Therefore, we find: That Respondent is a disciplined organization numbering many thousands of members, which is controlled internally between conventions by a National Committee; that it has organizational units at city, county, state, and district (includes multistate) levels which include clubs, cells, fractions, branches, and sections, and committees thereof; that, in addition to the foregoing, it maintains other operating committees for specific purposes; that Respondent has been in existence in the United States since 1919; and, that it is not a diplomatic representative or mission of a foreign government accredited as such by the Department of State.

We also find that the following publications, issues of which are in evidence, are or were during their existence official and controlled organs of Respondent:

- (a) *The Daily Worker*;
- (b) *The Worker*; this is currently the Sunday edition of the *Daily Worker*; however, in the 1920's a paper with this name fulfilled much the same function as the present *Daily Worker*;
- (c) *Political Affairs*, a monthly magazine;
- (d) *The Communist*; the predecessor to *Political Affairs*, which served Respondent in the same capacity prior to early 1945. The same title was used for a Party newspaper early in Respondent's existence.

I. FINDINGS OF FACT

A. WORLD COMMUNIST MOVEMENT

The definition of a Communist-action organization in Section 3 (3), and the terms of the several criteria in Section 13 (e) of the Act make desirable a finding based upon the evidence in this proceeding concerning the world Communist movement; its characteristics and the identification of the leadership of such movement.

Much of the evidence which establishes the allegations of the petition pertaining to the various criteria in Section 13 (e) necessarily shows the existence of the world Communist movement, its characteristics and its leader. The evidence sustaining these allegations is fully set forth hereafter in this report. Consequently, we now set forth in summary form only the evidence adduced in this proceeding which substantiates the existence of the world Communist movement, describes its nature and identifies its leadership.

The Respondent in its amended answer and through the testimony of its witnesses admits that a world Communist movement exists in the sense that the CPUSA and other Communist parties in countries throughout the world are guided in their activity by a concept of "social science" called Marxism-Leninism,⁴ and have as their common goal the establishment of "socialism." Respondent contends, however, that the international relationship among the Communist parties of the world is merely a fraternal one. It denies that there exists a world Communist movement which is substantially dominated or controlled by the Soviet Union and which has as its purpose the establishment of dictatorships of the proletariat in all countries throughout the world. Respondent's witness Gates testified that, in referring to "the world Communist movement" in his writings, he had in mind separate autonomous movements. Respondent's expert witness, Dr. Herbert Aptheker, teacher and trustee of the Jefferson School of Social Science, Editor of *Masses and Main Stream*, and Managing Editor of *Political Affairs*, offers the explanation that in Marxist-Leninist literature such terms as "international solidarity," "proletarian internationalism," "working class internationalism," etc., are used simply to indicate the fraternal relationship among the working classes of the countries of the world. Respondent's witness Elizabeth Gurley Flynn draws an analogy with the international trade-union movement, asserting that this movement exists but that there is no worldwide trade-union; and that, similarly, a world Communist movement does exist, but that an international integrated Communist Party does not. The witness Flynn admits that Stalin is universally regarded by Communists as the ideological leader of world Communism⁵ and as the leader of the senior Communist Party of the world, the Communist Party of the Soviet Union; however, she denies that either Stalin or the Communist Party of the Soviet Union (CPSU) exercises domination or control over Respondent or any other Communist Party in the world.

We are unable to accept these contentions of respondent concerning the existence, nature, purpose, and leadership of the world Communist movement, as they are contrary to the clear preponderance of evidence.

The present world Communist movement was first manifested organizationally by the formation of the Third Communist International in Moscow in 1919. This event is recorded in the *History of the Communist Party of the Soviet Union (Bolsheviks)* (Pet. Ex. 330), as hereinafter developed.⁶

One year later, July 17 to August 7, 1920, the Second Congress of the Communist International adopted and promulgated its *Theses and Statutes* setting forth its aims and purposes as later detailed herein,⁷ which includes the following:

The Communist International is aware that for the purpose of a speedy achievement of victory the International Association of Workers, which is struggling for the abolition of capitalism and the establishment of Communism, should possess a firm and centralized organization. To all intents and purposes the Communist International should represent a single universal Communist Party, of which the parties operating in every country form individual sections. The

⁴ See pp. 21-44, *infra*, for findings re Marxism-Leninism.

⁵ Subsequent to the hearing herein Stalin died; he has been succeeded by Georgi M. Malenkov.

⁶ See p. 10, *infra*; see also pp. 42-43, *infra*, re Respondent's adherence to this work.

⁷ See pp. 10-11, *infra*.

organized apparatus of the Communist International is to secure to the toilers of every country the possibility at any given moment of obtaining the maximum of aid from the organized workers of the other countries.

For this purpose the Communist International confirms the following items of its statutes:

SEC. 1. The new International Association of Workers is established for the purpose of organizing common activity of the workers of various countries who are striving towards a single aim: the overthrow of capitalism; the establishment of the dictatorship of the proletariat and of the *International Soviet Republic*; the complete abolition of classes, and the realization of socialism—the first step of Communist Society. —[Italic supplied.] (Pet. Ex. 8, p. 5.)

The Communist International was in fact that which these publications proclaim, i. e., a universal Communist Party organized and controlled as to policies and activities by the Soviet Union and consisting of the various Communist parties of the countries throughout the world, which constituted sections of the Communist International. The Communist International embodied an elaborate organizational structure, including an Executive Committee; departments on Organization Agitation and Propaganda, and Youth; Secretariats or Commissions covering sections of the world, such as the Far Eastern Secretariat, Anglo-American Secretariat, etc., which supervised the Communist parties in these respective areas; and Field Bureaus.

Respondent joined this international Communist organization shortly after it was constituted and admittedly until 1940 participated therein. Characteristic of the Communist International's worldwide activities were the Profintern or Red International of Labor Unions; MOPR, or the International Red Aid to defend Communists; the maintenance of representatives in various countries, first to enforce and insure adherence to its policies, and further to afford guidance and assistance; the instruction and training of individual members of its section Communist parties and the payment of expenses incident thereto; the rendering of financial aid to the various Communist parties throughout the world, either directly in money disbursed to or for them or indirectly through furnishing of free propaganda materials, publications, printing, etc.; the exercise of strict disciplinary control over individual members and entire Communist Party sections, resulting in expulsion of a member for failure to follow Soviet Union policies and directives; the settlement of intraparty disputes and the resolution of issues relating to tactics, strategy, procedure, and policy of Communist Party sections; the command of paramount allegiance to the Soviet Union as the leader of international Communism and fatherland of the world proletariat; the strict adherence to that body of principles and policies called Marxism-Leninism;⁸ all in furtherance of making secure the foundation of the world proletarian revolution, i. e., the Soviet Union, and installing Communist dictatorships under the direction and domination of the Soviet Union in all countries throughout the world, including the United States, by activity both open and secret and by any means whether legal or illegal.

As a result of the passage of the Voorhis Act in 1940 (54 Stat. 1204) Respondent announced a disaffiliation from the Communist International, but did not alter fundamentally its relationship with the Communist International.⁹ The Communist International was formally dissolved as such in 1943, at which time the United States

⁸ See pp. 21-44; 120, *infra*.

⁹ See pp. 14-16, *infra*.

and the Soviet Union were military allies. This formal dissolution was accomplished, assertedly, in order to remove the foundation for "Fascist" charges that the Soviet Union was meddling in the internal affairs of other nations. In truth and in practice the world Communist movement, under the hegemony of the Soviet Union, has remained as theretofore, despite the "dissolution" of the Communist International.

In 1947, the Communist Information Bureau, herein sometimes called the Cominform, was organized¹⁰ to facilitate the coordination of activities of Communist parties of various countries in the struggle against "imperialism"; its membership consists of a number of Communist parties.

Zhdanov, then a member of the Politburo of the Communist Party of the Soviet Union, in calling for greater and closer international coordination of action by Communist parties at the Communist Party Informative Conference in Poland in September 1947 stated, in part, as follows:

* * * There can be no doubt that if the situation [the tendency toward the isolation of individual Communist parties] were to continue it would be fraught with most serious consequences to the development of the work of the fraternal parties. The need for mutual consultation and voluntary coordination of action between individual parties has become particularly urgent at the present juncture when continued isolation may lead to a slackening of mutual understanding, and at times, even to serious blunders (Pet. Ex. 214-A, p. 4).

Georgi M. Malenkov, successor to Stalin and presently leader of the Soviet Union, also addressed this conference laying additional emphasis on the necessity for coordination of international Communist activities. Pertinent excerpts from Malenkov's report are set forth herein at pp. 18-19, *infra*.

In the United States, Respondent refrained from formally joining the Cominform, because "* * * reactionary and pro-Fascist forces now whipping up anti-Communist hysteria and war incitement in our country would undoubtedly seize upon such action * * * as a pretext for new provocations and repressions against the Communists * * *" (Pet. Ex. 368). However, the CPUSA announced firm agreement with and approval of its formation. Notwithstanding this lack of formal affiliation, manifestations of the world Communist movement and Respondent's participation therein continued. Known representatives of the world Communist movement remained in the United States and continued their participation in the affairs of Respondent; leaders of Respondent went abroad at Party expense to international gatherings where they met and consulted with world Communist leaders; the official organ of the Cominform, *For a Lasting Peace, for a People's Democracy*, is used by Respondent's leaders as a source of authoritative direction on matters pertaining to the world Communist movement and Respondent's participation therein; detailed "greetings" containing messages are sent and received by the various Communist parties of the world, including the Communist Party of the Soviet Union and Respondent; Respondent unswervingly adheres to the positions taken by the Soviet Union on international issues; and Respondent continues to advocate, teach and apply Marxism-Leninism.

Adherence to Marxism-Leninism, as its principles and precepts are stated in the Classics, is completely incompatible with Respondent's

¹⁰ See *infra* pp. 16-19, re detailed findings concerning the Communist Information Bureau.

contention that it and numerous other Communist parties throughout the world apply Marxism-Leninism individually, separately and autonomously. It is clear that international organization, which affords the coordination of activity and discipline as directed by the Soviet Union and which commands the subordination of all national duties and also requires allegiance to the Soviet Union, is the very essence of Marxism-Leninism as understood and practiced by Respondent.¹¹

The international integration of the world Communist movement is further illustrated by the perspective in which Respondent regards the incidents affecting, or activities of, Communist parties in other nations. For example, a letter sent by Respondent to the Communist Party of France as reprinted in the *Daily Worker* of June 9, 1952, regards the arrest of French Communist leader, Jacques Duclos, as an act of the men of "Wall Street." The letter states in part:

* * * We American Communists are conscious of our responsibility to show the people at home that it is the Wall Street men of the trusts who are the real fomentors of the present hysteria, arrests, and persecutions in your country. We will do everything to convince the American people that it is U. S. imperialism which strives to impose upon the French people the same kind of wartime dictatorship they seek to impose in our own land. We know your struggle is our struggle—a common fight against a common enemy—to defeat the North Atlantic war alliance, to prevent the renazification [sic] and remilitarization of Western Germany, to fight for a Five-Power Pact of Peace and Friendship as the only path to peace and freedom * * * (Pet. Ex. 495).

Similarly a "greeting" from Respondent to the Seventh Congress of the Italian Communist Party, published in the *Daily Worker* of April 4, 1951, stated:

* * * "your work in defense of peace and socialism under the magnificent leadership of Palmiro Togliatti, has a particular repercussion in our country.

"The great battle of the Italian workers for their independence, peace, and social progress calls forth greatest admiration among us. We are confident that in fraternal battle against Wall Street, the cause of Italy's millions, which is our cause too, will triumph" (Pet. Ex. 456).

Respondent, at its 15th National Convention held from December 28 to 31, 1950, in New York City, received "greetings" from Communist parties in the Soviet Union, People's Democratic Republic of China, France, Italy, Hungary, Poland, Bulgaria, Czechoslovakia, Rumania, German Democratic Republic, Western Germany, Austria, Great Britain, Canada, Mexico, Brazil, Cuba, Spain, Norway, Denmark, The Netherlands, Northern Ireland, Eire, India, Israel, Algeria, Ceylon, Free Territory of Trieste, Belgium, Australia, New Zealand, Indonesia, and the Yugoslav Political Revolutionary Emigrants (Pet. Ex. 376).

Many such "greetings" expressed regret that it was impossible to send delegates as Respondent had invited, but noted in varied detail the problems (from a Communist viewpoint) in the particular country involved, as well as those facing Respondent. These "greetings" likewise are replete with phrases that reveal the characteristics and leadership of the world Communist movement, of which the following are illustrative:

* * * all persons who oppose the aggressive policy of American imperialism and the rule of Fascist terror, are uniting in joint resistance * * *

¹¹ See "Marxism-Leninism" pp. 24-25; 31-32, *infra*, for detailed findings to this effect.

* * * the decisions of your Convention, taken in the light of the teachings of Marx, Engels, Lenin, and Stalin, will enable you to advance forward on the road of unity of action * * *.

Your successes are our successes.

We know your struggle is difficult, but together with you, 800 million people, led by the invincible Soviet Union, defend peace and liberty.

* * * your party will raise still higher the immortal banner of Marxism-Leninism and will honorably fulfill its patriotic and internationalist duty * * *.

* * * the fight of the millions of common people for peace and democracy, inspired by peace-loving Soviet Union and the great Stalin, will win.

Your fight, dear comrades, is our fight, just as the struggle of the German Friends of democracy and peace is your struggle.

The invincible peace camp under the leadership of the Soviet Union and the great Stalin, defends the happiness of all peoples. You have a decisive place in the camp of peace.

We feel closely bound up with your struggles not only because we pursue the same aims but also because we face the same enemy, American imperialism.

* * * our common struggle against Anglo-American imperialism.

Headed by the mighty Socialist Soviet Union and our friend and teacher, Joseph Stalin, the world camp of peace is going forward to win * * *.

* * * your decisions will victoriously guide the American people in their determined struggle for the defense of the cause of peace and socialism so brilliantly led by Comrade Stalin.

United by proletarian internationalism under the banner of the great Stalin, we will march victoriously on the road to peace and Socialism.

* * * we are firmly convinced * * * that you will fulfill the great task of world significance * * *.

Your invitation confirms that proletarian internationalism, in spite of hate, persecution, and terror, is a living reality.

Our fight for peace, independence, and freedom is directed against the same enemy as your fight.

Long live proletarian internationalism.

We pledge our maximum contribution to the peace movement headed by the Soviet Union

Long live the solidarity of the working people in the whole world * * * for the triumph of the ideas of Marx, Engels, Lenin, and Stalin!

The foregoing statements in this section are fully supported by a preponderance of the evidence, which is set out in detail in our findings in the captioned portions of this report which follow. Based on the evidence adduced in this proceeding we find (1) that there exists a world Communist movement, substantially as described in Section 2 of the Act, which was organized by the Soviet Union, and which has as its primary objectives the establishment of Communist dictatorships of the proletariat in all countries throughout the world, including the United States, and (2) that the direction, domination, and control of this movement is vested in, and is exercised by, the Soviet Union.

B. POLICIES AND DIRECTIVES

1. Respondent's organization and leadership

The nature of this proceeding is such that we cannot and should not single out one factual situation as determining the issues, but must consider the record as a whole. In so doing, we have taken into consideration the evidence hereinafter summarized concerning the events which have resulted in Respondent's present organizational form, and which establishes certain facts regarding the background and activities of Respondent's present leadership. We find this evidence tends to establish that Respondent is a Communist-action organization.

Respondent was organized in 1919 and has been in existence continuously since that date. The evidence leaves no doubt that the Respondent is molded organizationally and operationally along the

lines found by the Communist Party of the Soviet Union to be most effective in establishing the dictatorship of the proletariat in the Soviet Union. Such an organization and operation is in accordance with the strategy and tactics of Marxism-Leninism. It is also in accordance with the requirements of the Communist International.

Before treating with Respondent's organization and internal administration, it is of major importance for a clear understanding of our findings and of the background and bases for a number of Respondent's policies and activities, to review the evidence and set forth certain pertinent facts regarding an association or organization known as the Communist International (Comintern). According to Respondent's witness Flynn, this organization was "a federation, as it were, of Communist Parties, who met together, consulted together, and exchanged knowledge and experience in relation to the struggles that they were carrying on in their particular countries."¹² The record, however, establishes a different nature and different characteristics of the Communist International.

Upon consideration of the sizable quantity of both oral and documentary evidence relative to the matter, we find that the Communist International was organized in 1919 by the Soviet Union as the international organization of Communist Parties in all countries—a World Communist Party—with the aim to overthrow "capitalist" states and to create the dictatorship of the proletariat in the Soviet form. Significant evidence establishing the foregoing includes the documents, *History of the Communist Party of the Soviet Union (Bolsheviks); Theses and Statutes of the Third (Communist) International*, adopted July 17–August 7th, 1920; the *Programme of the Communist International*, issued at the Sixth Congress in Moscow in 1928; and, Respondent's *Manual On Organization*, issued in the 1930's. These documents are further identified and discussed later in this report.

In the *History of the Communist Party of the Soviet Union*, it is stated:

In March 1919, on the initiative of the Bolsheviks, headed by Lenin, the First Congress of the Communist Parties of various countries, held in Moscow, founded the Communist International. Although many of the delegates were prevented by the blockade and imperialist persecution from arriving in Moscow, the most important countries of Europe and America were represented at this First Congress. The work of the congress was guided by Lenin.

The congress adopted a manifesto to the proletariat of all countries, calling upon them to wage a determined struggle for the dictatorship of the proletariat and for the triumph of Soviets all over the world.

Thus was founded an international revolutionary proletarian organization of a new type—the Communist International—the Marxist-Leninist International (Pet Ex. 330, pp. 231–232).

The Theses and Statutes stated that—

* * * all the events of world politics are inevitably concentrating around one point, namely, the struggle of the bourgeoisie world against the Russian Soviet Republic, which is grouping around itself the Soviet movements of the vanguards of the workers of all countries, and all national liberation movements of the colonial and subject countries, which have been taught by bitter experience that there can be no salvation for them outside of a union with the revolutionary proletariat, and the triumph of the Soviet power over Imperialism." [Italic added.] (Pet. Ex. 8, p. 67.)

¹² This is in substance the same characterization Respondent places on the present organization of Communist Parties known as the Information Bureau of Communist and Workers' Parties or the Communist Information Bureau. See pp. 16–19 of this report.

Also:

The Communist International makes its aim to put up an armed struggle for the overthrow of the International bourgeoisie and to create an International Soviet Republic as a transition stage to the complete abolition of the State. The Communist International considers the dictatorship of the proletariat as the only means for the liberation of humanity from the horrors of capitalism (ibid., p. 4).

The Constitution and Rules of the Communist International as set forth in the *Programme* includes.—

The Communist International—the International Workers' Association—is a union of Communist Parties in various countries; it is a world Communist Party. As the leader and organizer of the world revolutionary movement * * * and the upholder of the principles and aims of Communism, the Communist International * * * fights for the establishment of the world dictatorship of the proletariat, for the establishment of a World Union of Socialist Soviet Republics, for the complete abolition of classes and for the achievement of socialism—the first stage of Communist Society (Pet. Ex. 125, p. 85).

Respondent's *Manual on Organization* defines the Communist International as follows, which is pertinent for comparison with the foregoing quotations:

The Communist International is the international organization of Communist Parties in all countries. It is the World Communist Party. The Communist Parties in the various countries affiliated to the Comintern are called Sections of the Communist International (Pet. Ex. 145, p. 42).

The record shows, in addition to the fact that the Communist International was organized and formed by the Soviet Union and had the aforesaid aims, that the Soviet Union exercised complete control over the policies and activities of the Communist International. All of the heads of the Comintern that are identified in the record have been leading members of the Communist Party of the Soviet Union. The meetings of the governing committees and the congresses shown in the record have been held in Moscow. Witnesses who had been representatives of Respondent to the Comintern established that the Communist Party of the Soviet Union was the leading party (section) in the Comintern, and its decisions were binding on the executive committee of the Comintern and such decisions of the Comintern bound all other member parties; furthermore it had five votes on the executive committee to one each for the other larger parties. The government of the Soviet Union financed the Comintern.

The record also establishes through both oral and documentary evidence that as a section or member of the Communist International, Respondent was under the complete domination and control of the Communist International regarding its policies, activities, programs, and other operations. Illustrations and examples of Respondent's acceptance of and adherence to directions and instructions from the Communist International are covered in the parts of this report which follow and include the teaching and advocacy of the overthrow of "imperialist" governments; trade union activities; work among the youth; and the recognition and acceptance of discipline; as well as details concerning Respondent's organizational structure and internal administration.

Also significant, and indicative of Respondent's acceptance of, or submission to, control over it by the Communist International, are various other official statements and teachings by Respondent subsequent to the time that it became a part of the Communist Interna-

tional, and Respondent's acceptance and following of instructions of Comintern representatives sent to the United States. The activities in the United States of Comintern and other foreign Communist representatives is covered elsewhere in this report. With respect to the specific actions of Respondent and its teachings as evidencing the acceptance of domination and control by the Comintern, the record shows that early in 1921, Respondent revised its program and constitution "in conformity with the Theses and Statutes of the C. I.", and adopted the "twenty-one points for affiliation to the C. I." ¹³ (Pet. Ex. 123, p. 1), and became an "integral part of the Communist International" (p. 2). In 1929, Respondent's Central Committee issued a "Discussion Outline for Lenin Campaign" which in effect explains the role of the Party as that defined by the "Program of the Comintern" and states:

One who fights the Soviet Union and the Comintern is an agent of capitalism directed against our Party in its campaign to mobilize the workers against imperialist war and for defense of the Soviet Union (Pet. Ex. 108, p. 6).

The "Thesis and Resolutions" for the Seventh National Convention of Respondent ¹⁴ which were adopted by the Convention in 1930, refer to "communications" from the Comintern in connection with various tasks of the Party (Pet. Ex. 132, p. 54). The resolutions adopted at the 8th convention of Respondent in 1934 include the following:

The E. C. C. I. is the Executive Committee of the Communist International. It is the general staff of the world revolutionary movement giving unity and leadership to the Communist Parties of the world. The E. C. C. I. meets in plenary session at intervals of between six months and one year. The body acting in highest authority between one plenary session (Plenum) of the E. C. C. I. and the other, is the Presidium of the Communist International. The Communist Party of the U. S. A. is the American Section of the Communist International (Comintern) (Pet. Ex. 136, p. 18).

Petitioner's witnesses Budenz, Crouch, Gitlow, Honig, Johnson, Kornfeder, Lautner, Meyer, and Nowell each testified concerning various aspects and manifestations of the control exercised over Respondent by the Communist International while these witnesses were members of Respondent and held various official positions. Gitlow was a top official of Respondent and in 1928-1929 was a member of the Executive Committee of the Communist International. He states unequivocally that the Comintern controlled all major policies of Respondent and cites instances such as convention arrangements and the policy of the party press which were based upon Comintern directives or instructions. Kornfeder knows of no instance during his membership, 1919-1934, when Respondent deviated from Comintern instructions and shows that the qualifications for attending Communist training schools in Moscow were set up by the Comintern, and that members of Respondent recommended to become students at the schools had to be approved by the Comintern. Nowell and Honig both were in Moscow during the 1930's as students and representatives of Respondent and participated in the work of the Communist International, particularly the preparation of directives to Respondent—which directives were carried out. Meyer, an American citizen, returned to the United States in 1934, having been a member of the British Communist Party, and was not required to fill out an appli-

¹³ These "conditions" spelled out rigid requirements of allegiance to the Comintern with provisions for strict discipline as well as details as to the form of the Communist Parties and their activities.

¹⁴ The "Thesis and Resolutions" represented the prime authority of Respondent in its programs, policy and practical orientation for the period 1930-1934 which were applied in practice and in Respondent's schools.

cation to join Respondent since he was merely transferring from one section of the Communist International, or Communist movement, to another. Johnson, a member of Respondent from 1930 to 1940 and at one time on the Central Committee, was taught at Respondent's National Training School, and saw in operation, that under the rules of the Comintern no person could hold or resign from a position of leadership without the approval of the Comintern. He also states unequivocally that he knows of no single instance during his membership where Respondent ever opposed a decision of the Comintern.

The foregoing is only a part of the considerable testimony on the activities of the Communist International concerning the Respondent in the United States but serves to illustrate Respondent's role as a member or part of the Communist International.

In view of our finding that the Communist International was founded and controlled by the Soviet Union, and of our further finding that the Communist International dominated and controlled Respondent, and upon the entire record, we find and conclude that the Communist International for over twenty years constituted the organizational instrumentality through which the Soviet Union dominated and controlled the Communist Parties throughout the world, including Respondent.¹⁵

As later herein covered, Respondent announced its "disaffiliation" from the Communist International in 1940, and the "dissolution" of that organization was announced in Moscow in 1943. It is pertinent before concluding this aspect of our findings concerning the Communist International to note that the Communist International stood "wholly and unreservedly upon the ground of *revolutionary Marxism* and its further development, Leninism" (Pet. Ex. 125, p. 8). Because of the importance of "Marxism-Leninism" in this proceeding, its meaning is determined in detail later in this report.

Concerning Respondent's organizational form and changes therein, we find that early in Respondent's existence, in 1924, the Communist International "decided" that various factions in the United States should amalgamate into a single party, which was done. The evidence hereinafter summarized and the entire record establishes that Respondent is that Party.

We further find that in 1929 another factional dispute existed in Respondent which was a reflection of a struggle in the Communist Party of the Soviet Union and in the Communist International between the forces led by Stalin and those led by Bukharin. Although a minority of only about 10 percent in Respondent, led by Foster, supported Stalin, whereas the majority of about 90 percent, led by Lovestone and Gitlow sided with Bukharin, the solution of the dispute dictated by Stalin was adopted by the Comintern and accepted by Respondent, representatives of the Comintern being sent to the United States to supervise its effectuation. The result of the "liquidation of the factional situation in the Communist Party" (Pet. Ex. 126, p. 245) was the expulsion from Respondent of Lovestone, Gitlow and others and the placing of the leadership of Respondent in the Foster group. Earl Browder was recalled from China by way

¹⁵ Respondent's witness Gates stated on cross-examination that "The Communist International was an actual organization of the world Communist movement and we were affiliated at one time. We are not affiliated now, and the organization no longer exists."

of Moscow to become General Secretary of the Party. Foster was given a high position. He became a "builder of the Party" (Pet. Ex. 126, p. 247). This is the William Z. Foster who is presently National Chairman of Respondent.

In 1940, Respondent announced its disaffiliation from the Communist International. We find that the primary reason for the disaffiliation was to avoid registration of the Respondent as a foreign agent under the Voorhis Act of October 17, 1940; and that the disaffiliation did not alter in any substantive way the relationship between Respondent and the Communist International or the world Communist movement. Respondent's amended answer admits it was "affiliated" with the Communist International prior to November 1940, and states that it "disaffiliated" from the Communist International in November 1940. The amended answer and the evidence offered by Respondent seek to establish, however, that, "Since 1940, the Communist Party has had no international affiliation of any kind—although it follows with interest the experiences of other Communist Parties, reads their journals, and on appropriate occasions sends or receives fraternal greetings" (amended answer, p. 47).

Witness Meyer was present as a member at the State Committee meeting when the delegation to the convention of Respondent which considered the disaffiliation reported back to the Illinois-Indiana District. The substance of the delegation's report was that the disaffiliation was a matter of expediency, that it changed nothing fundamentally or significantly, and that it had to be done to preserve the legality of the Party. Witness Lautner was a delegate to the convention and also describes the understanding of the convention to be that the disaffiliation was one of expediency which in no way affected the Party's attitude on the question of proletarian internationalism. Witness Crouch attended a convention-time meeting of the Politboro and district organizers where Earl Browder, then general secretary of the Party, said that the actual relations of the Respondent to the Communist International would remain exactly the same in the future as they had in the past, that Respondent would continue to be guided by the Communist International and that because of the political development of Respondent the matter of formality in the relationship was no longer as necessary as it had once been. The district organizers were assigned the duty to go back to the respective districts and explain the reasons for disaffiliation which Crouch, being a district organizer at the time, did.

Respondent's witness Flynn testified on cross-examination that she was on the National Committee of Respondent when the resolution of disaffiliation was discussed. She says:

* * * we were not disaffiliating in anger, or disaffiliating to fight the Communist Internationale. It was, you might say, a friendly divorce (Tr. 14002).

We find the evidence preponderates to establish that the disaffiliation was for the expediency of avoiding registration as a foreign agent and did not alter Respondent's relationship with the Communist International or the world Communist movement.

We have heretofore set forth our finding that the Communist International was the means or vehicle through which the Government and the Communist Party of the Soviet Union directed and led the Communist Parties of the various countries, including Respondent. In 1943, upon approval by the various member Communist Parties of

a proposal by the Presidium of the Executive Committee, the Communist International was dissolved.¹⁶ Respondent, having a few years earlier announced its "disaffiliation" from the Communist International, was not "called upon to participate in the decision" (Pet. Ex. 207, p. 657). It did, however, hail and support the dissolution. Stalin, who at the time was the chairman of the Council of People's Commissars of the U. S. S. R. and a leading member of the Politburo of the Central Committee of the C. P. S. U., stated the dissolution was "proper and opportune" in that it facilitated the organization of a general onslaught against the common enemy, Hitlerism (Pet. Ex. 204). In supporting and hailing the dissolution of the Communist International, Respondent took the same line as that expressed by Stalin, i. e., that the dissolution "is a well aimed blow * * * at Hitler * * *" (Pet. Ex. 206), and pointed out in the Daily Worker that the "particular organizational form for international proletarian unity * * * became a hindrance to the further strengthening of the national workers' parties" but that the dissolution "must not be mistaken as a sign of weakness or of helpless collapse" (Pet. Ex. 205). In view of the foregoing, and upon consideration of the subsequent manifestations of the operations of the world Communist movement and of Respondent's conduct and activities as elsewhere herein covered, and upon the entire record, we find and conclude that the dissolution of the Communist International was merely the termination of the use of that "particular organizational form," and a change in the means and the particular vehicle for promoting and advancing the world Communist movement.

We find that during the year following the announced dissolution of the Communist International, Respondent's organizational form and some of its tactics underwent a change. It became known as the Communist Political Association from May 1944 until June 1945.¹⁷ when it was reconstituted as the Communist Party. During this period, there was a deemphasis on the use of some of the Marxism-Leninism principles and the central teaching was around the current documents of the Party, which put forward the so-called "Teheran line" that advocated, at least for the time being, a peaceful coexistence of the United States and the Soviet Union. We note that in becoming the CPA there was no substantial change: Respondent's membership and leadership were the same, and upon reverting to the CPUSA in 1945, similarly, its membership was the same and, with one substantial exception, so was the leadership. Because of his lack of adherence to the proper tactical line, Earl Browder was characterized as a "revisionist" and "deviationist,"¹⁸ and was deposed as a leader whereupon the full Marxist-Leninist revolutionary ideology and action was again reemphasized.

Respondent's present organizational form commenced with its return in 1945 to the name Communist Party upon simultaneous dissolution of the Communist Political Association. A primary pur-

¹⁶ Petitioner's witness Dr. Mosely considers that because of the nature of the Communist International, the "proposal" to dissolve it by its Presidium was regarded as a "decision" to dissolve it (Tr. 7370).

¹⁷ Foster opposed the change on the ground it was not in line with the revolutionary position of Marxism-Leninism. His opposition was contained in a letter to the National Committee, which letter was suppressed from the membership at the time and not made known until shortly before the change back to the CPUSA.

¹⁸ In January 1950, Petitioner's witness Lautner, then on Respondent's Central Control Commission, and Jack Kling, then National Treasurer, discussed Browder's recent pamphlet wherein he stated that during the fifteen years of his leadership in Respondent, all major policies put into effect had the previous knowledge, consent, and active support of the decisive international Communist leadership. Kling called it stool-pigeon work on the part of Browder.

pose of again changing was to reemphasize the Marxist-Leninist Classics, particularly the writings of Stalin, the *History of the Communist Party of the Soviet Union (Bolsheviks)* and Dimitroff's Report to the Seventh Congress which deals with the true nature of how to conduct the united front while forwarding the Communist revolutionary aims.

We find that in addition to this reemphasis on Marxism-Leninism, which it was established by the evidence in this proceeding are the basic laws for a world Communist revolution, the facts directly surrounding the reconstitution are indicative of foreign domination and control of Respondent. A few weeks after returning from Moscow to France, Jacques Duclos, a leader of the French Communist Party, member of the Executive Committee of the Communist International until the announced dissolution of that organization, and a spokesman for the world Communist movement, issued a statement through the French Communist Party Journal, entitled "On the Dissolution of the Communist Party of the United States" (Pet. Ex. 208). Duclos' statement appeared in the April 1945 issue of the French publication. The substance and effect of the Duclos statement is that it was a mistake to dissolve the Communist Party of the United States—"in truth, nothing justifies the dissolution of the American Communist Party, in our opinion" (Pet. Ex. 208, p. 671); that a "powerful Communist Party" in the United States is necessary "in the struggle taking place between the progressive forces of the earth and Fascist barbarism" (Pet. Ex. 208, p. 672). Upon the record, we find that the Duclos statement represented authoritative criticism made by a spokesman for the world Communist movement.

In the month (May 1945) following the publication of the Duclos statement in the French Communist Party organ, Manuilsky, a leading Soviet Union Communist, and a former official of the Communist International, who at the time was in the United States as Ukrainian representative to the United Nations Conference on Organization in San Francisco, let it be known to Respondent that it should observe the guidance and counsel of the French comrades. In June, the National board of the Communist Political Association met and called a meeting of the National Committee for later in the month, which in turn called a national convention for July. It was at this convention that the CPUSA was reconstituted in its present form as a militant Marxist-Leninist party.

As in the case of forming the Communist Political Association the year before, the same persons who had been officials of the CPA and the Party before that, led in reforming the Communist Party and, with the exception of Browder and a few others with minor rank, remained the leaders of the reconstituted party. As earlier herein found, Browder was expelled as a "revisionist" for departing from the orthodoxy of Marxism. Foster, upon taking over as a national chair, pointed out the necessity for reemphasizing the revolutionary line of Marxism-Leninism.

The record establishes that subsequent to the reconstitution of Respondent, an additional event of significance has taken place in the world Communist movement—the formation of an organization known as the Information Bureau of Communist and Workers' Parties or the Communist Information Bureau, sometimes referred to in the record as the "Cominform". The significance lies in respondent's attitude

toward this organization, the sameness of views and policies of respondent and the organization, and Respondent's use and treatment of statements appearing in *For a Lasting Peace, for a People's Democracy*, the official organ of the Cominform.

The exact nature and characteristics of the Communist Information Bureau are not precisely defined on the record. The record shows that the organization is composed of a number of Communist Parties of various countries and was established as a result of a decision taken at a conference held in Poland toward the end of September 1947. The record contains copies of two reports given at this founding conference, one by A. Zhdanov, then a member of the Politburo of the Communist Party of the Soviet Union and principal Soviet representative at the founding conference. The other report was given by Georgi M. Malenkov, then a member of the Central Committee of the Communist Party of the Soviet Union and secretary of the CPSU.¹⁹ Based on these reports and the testimony of witnesses, we find that the purpose of the Communist Information Bureau is to mobilize forces in opposition to United States "imperialism".²⁰

Shortly after the establishment of the Cominform, Respondent announced publicly that "the present political situation in the United States is such that the Communist Party should not affiliate" with the new Information Bureau, but stated the establishment of the Bureau "is of great significance" and makes more effective the "resistance to the program of imperialist expansion." Respondent's announcement further states that respondent "will continue to promote the international solidarity of all anti-fascists and anti-imperialists" (Pet. Ex. 368):

Respondent's witnesses Gates and Flynn, members of the National Committee, in summarizing Respondent's position stated that all they know about the Information Bureau is what they read in the "capitalist" press and the journal of the Bureau; that the Information Bureau never issued directives to Respondent; and, that Respondent's use of *For a Lasting Peace, for a People's Democracy* is to see what is going on within various Communist Parties throughout the world with whom Respondent shares common interests. The record shows an attitude of arrogance and evasiveness on the part of witness Gates concerning the Communist Information Bureau which causes us to discount much of his testimony on the matter. Even after considerable questioning on cross-examination he was unwilling or unable to explain what was meant by "official documents" of the Cominform for which Respondent waited, before taking a position regarding the organization, and was unwilling or unable to explain why and how, in that connection, Respondent's announcement that it would not join the Cominform was made 7 days before publication of the first issue of *For a Lasting Peace, for a People's Democracy*, dated November 10, 1947, which he had said might have been the official documents. Upon being asked whether issues of *For a Lasting Peace, for a People's Democracy* weren't received over here "before they were published? Before November 10, when the first issue came out?" the record shows the following at page 13212:

¹⁹ Subsequent to the closing of the hearings for the purpose of taking evidence in this proceeding, and upon the announced death of Joseph Stalin, Malenkov has become the announced leader of the Soviet Union. See additional reference to Malenkov at p. 53 of this report.

²⁰ The Communist concept of "imperialism" and "the struggle against imperialism" is covered in detail at pp. 44-56 of this report.

Answer: [by Gates]. Well, I don't believe in the supernatural, but if you do, that may have been possible.

Mr. BROWN. That is unnecessary.

The WITNESS. I can only answer a stupid question in such a way.

Later, Gates was questioned regarding whether the Communist Party in the United States or the *Daily Worker* or *Political Affairs* ever deviated from the expressed views and policies of the Cominform, and answered to the effect that the party and *Daily Worker* never deviate from what they consider the best interests of the American people and "if we have not expressed any disagreement with any views that have been put forward in *For a Lasting Peace, for a People's Democracy*, that is because we believe those views have not been in contradiction to the interests of the American people." (Tr. 13226-13227). He was then asked to give any instances of deviation and replied, "I have answered the question." The question was repeated by a Panel member who asked the witness if he could answer "Yes" or "No," to which the reply was: "[It] is a loaded question," and, upon being advised the panel did not consider it to be, the witness responded with "You may not think so, but I think so"; and, "After all, I am the one who is on the witness stand and not you."

The evidence shows that the Zhdanov report, contained in the first issue of *For a Lasting Peace, for a People's Democracy*, was studied in Respondent's clubs or cells as "the key to the whole movement"; that it was used in Respondent's schools as a major document stating and explaining the strategic aims of the world Communist movement. Malenkov's report was also studied and discussed. The record further shows that copies of *For a Lasting Peace, for a People's Democracy* have been made available to functionaries and clubs or cells of Respondent. Petitioner's witness Philbrick, based on 9 years' membership and activity in the Party, states that a member of Respondent could not disagree with a directive or a position taken by the Cominform and still remain a member of the Party. Additional facts concerning the Communist Information Bureau are set forth elsewhere in this report.

The two aforementioned reports of Zhdanov and Malenkov comprise the most direct evidence of record bearing upon the nature and characteristics of the Communist Information Bureau aside from what is contained in Respondent's announcement that it would not join the organization. Zhdanov's report says the Communist International was dissolved because "the direction²¹ of these parties [what he calls "mass labor parties"] from one centre became impossible and inexpedient." But, he continues, "experience has shown that such mutual isolation of the Communist Parties is wrong, harmful and, in point of fact, unnatural" and that "continued isolation may lead to a slackening of mutual understanding, and at times, even to serious blunders." (Pet. Ex. 214-A).

Malenkov puts it as follows:

The absence of contact between Communist Parties is a hindrance in coordinating the actions of Communists in various countries in their resistance to the plans of the imperialists, particularly now, when American monopoly capital is organizing an offensive against Communism and democracy against the U. S. S. R. and the new democracies, developing its expansionist plans with the intention, under the guise of "aid", of enslaving a number of European and other countries,

²¹ Compare Zhdanov's use of "direction" with the public announcements that the Comintern was dissolved to help defeat Hitlerism (p. 15 herein) and to stop the "false charges" of direction from Moscow.

and when Communists are called upon to define their attitude to these plans of American imperialism.

In our opinion it is necessary to put into effect definite measures designed to eliminate the present abnormal situation in this respect.

That is why we consider it necessary to discuss at the present conference both the international situation and the question of improving contact between Communist Parties, of establishing regular connections between them a view to achieving mutual understanding, exchange of experience and voluntary coordination of activities of the Communist Parties whenever they consider this necessary (Pet. Ex. 367, p. 145).

Respondent's statement characterized the Cominform as "a medium through which these parties can consult, and, if they deem it desirable, coordinate activity." (Pet. Ex. 368, p. 2).

In 1943, upon approval by the member Communist Parties of a proposal by the Présidium of the Executive Committee, the Communist International was dissolved to stop what they called false charges that the International dictated directives from Moscow.²² As later herein developed, a fundamental principle of the world Communist movement is to do the best possible for the cause under given circumstances—to charge when conditions warrant and to retreat when conditions require so as to marshal forces and await the sharpening of the opportunities. In view of these facts, of the foregoing facts concerning the Cominform, and on the entire record, we find and conclude that the Communist Information Bureau represents what the Communists consider the best possible substitute at the present time for the Communist International and that Respondent's support of the Information Bureau, its use of *For a Lasting Peace, for a People's Democracy*, and its nondeviation from the line of the Bureau, are done for the purpose and with the aim of advancing the objectives of the world Communist movement.

Summarized, the foregoing establishes that shortly after its formation in 1919 Respondent became a part of the "World Communist Party" dominated and controlled by the Soviet Union; that in 1924 Respondent was "amalgamated" pursuant to instructions of the Soviet Union; that in 1929 a factional dispute in Respondent was settled by the Soviet Union and new leadership of Respondent was installed according to directives from the Soviet Union; that in 1940 Respondent publicly announced "disaffiliation" from the Communist International (organizational form of the World Communist Party) and that the real reason being to avoid registration as a foreign agent and its "disaffiliation" was merely pro forma and represented no change; that from May 1944 to June 1945 Respondent's name was changed to the Communist Political Association and Respondent followed the tactical maneuver of advocating the possibility of peaceful coexistence between the United States and the Soviet Union; that in June 1945 Respondent changed its name back to the Communist Party under circumstances in which the Soviet Union played an active part; and that since June 1945 there have been no major or substantial organizational changes in Respondent.

In addition to the fact that the variations in the organizational structure of Respondent have been based upon specific directives and instructions from the Soviet Union, these variations are a manifestation of Respondent's following the overall Marxism-Leninism policy of doing what is opportune at any stage of the revolution, as later herein developed.

²² See Note 21, *supra*, p. 18.

In determining whether or not Respondent is dominated and controlled by a foreign government, we have taken into consideration certain facts established on the record concerning the careers and activities in their official capacities of a number of Respondent's present leaders, including its national chairman, William Z. Foster. We have previously herein set forth the fact that Foster became a leader of Respondent as a result of the solution in 1929 of the factional dispute in Respondent upon action by Joseph Stalin and the Communist International. In this connection, it is pertinent to consider the following statement by Stalin in 1929 as contained in certain speeches he made on the American Communist Party:

The struggle for the winning of the millions of the working masses to the side of Communism must be intensified. The fight must be intensified for the forging of real revolutionary Party cadres and for the selection of real revolutionary leaders of the Party, of individuals capable of entering the fight and bringing the proletariat with them, individuals who will not run before the * * * storm and will not fall into panic, but will sail into the face of the storm (Pet. Ex. 145, p. 111).

It is reasonable to conclude that the selection of Foster as a leader of Respondent, following the speech of Stalin, identifies Foster as the type of leader to whom Stalin referred.

We further find that ~~for a~~ number of years prior to 1940 Foster was an official of the Communist International; that Foster and Jack Stachel, among others, represented the Respondent at the Seventh World Congress of the Communist International in Moscow in 1935; that Foster is a recognized spokesman for the world Communist movement; that Foster is recognized among Communists as an authority on and follower of Marxism-Leninism; that Foster in 1944 did not push his objections to the formation of the Respondent as the Communist Political Association but rather refrained from deviating, for the stated reason that he would have been expelled if he had. In view of the foregoing, and upon the whole record, we conclude that William Z. Foster has been controlled in his activities as a top leader of Respondent by leaders of the Soviet Union and, during its existence, by the Communist International; and we find that this furnishes some evidence that Respondent as an organization has been and is controlled by the Soviet Union.

We further find that a substantial number of Respondent's present leaders, including Foster, Stachel, Bittelman, Green, Winter, and Williamson, have been to the Soviet Union on numerous occasions on Party business and have been indoctrinated and trained in the Soviet Union on Russian strategy and policies. These leaders have taught in Party schools, written for the Party press, and spoken at Party meetings, on various phases of Marxism-Leninism, including the leading position of the Soviet Union, the concept of proletarian internationalism, and the necessity of revolutionary overthrow of imperialist nations, particularly the United States. We find that Foster and these other leaders of Respondent have accepted the views and policies of the Soviet Union and have carried such views and policies into Respondent, making them the views and policies of Respondent. We find that this fact furnishes additional evidence that Respondent is dominated and controlled by the Soviet Union.

In making the foregoing findings, we have taken into consideration the facts as to the recognition by Respondent's leaders of a disciplinary power in the Soviet Union, and the allegiance of such leaders to the Soviet Union, as elsewhere in this report set forth.

The variations in the organizational structure of Respondent can very well be said to conform to the overall policy of Marxism-Leninism of doing what is expedient under the given circumstances at any stage of the revolution, as set forth in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, pp. 21-22), one of Respondent's compilations of basic Marxist-Leninist material. It is pertinent at this point to determine the meaning of "Marxism-Leninism" as understood and followed by Respondent.

2. *Marxism-Leninism*

The Respondent's constitution (1948) (Pet. Ex. 374) (readopted in 1950) states in the first sentence of its Preamble: "The Communist Party of the United States is a political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism." Respondent's amended answer (pp. 10, 20-21) also admits that Marxism-Leninism is basic to the CPUSA. Marxism-Leninism is nowhere in the record specifically defined. It should be noted that we recognize that the theory of Marxism-Leninism, as such, is not an issue in this proceeding. Nor is it our purpose to consider the merits of Capitalism vis-a-vis Communism. However, in view of the fact that Marxism-Leninism is declared to be basic to Respondent and because of the numerous references to it in the course of these proceedings, and in order to cast as much light as possible upon the issues involved, we have deemed it important to determine its actual meaning from the evidence of record. In this section, we present our findings of what it is, and how it is understood, used and followed by Respondent. We have limited ourselves here, in the main, to the meaning of Marxism-Leninism. The extent of Respondent's acceptance of it and adherence to it is more specifically treated in other portions of this report, wherein it is shown that adherence to Respondent's conception of Marxism-Leninism is evidentiary of submission to the domination and control of the Soviet Union.

In our determination we have had to reach certain conclusions concerning some of the terminology employed both in the writings and in the testimony of the witnesses. Where a difference in the meaning of any term appeared, we have given it the meaning warranted by a preponderance of the evidence.

The sources of Marxism-Leninism and also its corpus are to be found in the writings of Marx, Lenin, and Stalin and their collaborators, which writings are generally referred to as the Classics.²³ In order to understand the content of these Classics, we deem it desirable to present something of the background in which they are produced and also to indicate what we consider to be the chief contributions of each of the above individuals to the Classics and to Marxism-Leninism.

In the middle of the nineteenth century, Karl Marx, a German scholar, and Frederick Engels, an Englishman, developed what became known as Marxism. This was a form of Socialism. The basic tenet of Socialism is the ownership by the state of all the means of production and distribution. According to Marx, all society consisted of antagonistic classes, the principal one being the bourgeois or capitalist class, which, as a result of owning privately the means of production, exploited the propertyless working class. Marx announced particular interest in the propertyless factory workers whose numbers had

²³ See Appendix B, attached.

increased as a result of industrialization. These factory workers he designated as the proletariat. Marx was influenced by the dynamic theories of the German philosopher Hegel, and applied Hegel's theories to the materialistic concepts of the Greek philosophers and developed a system which he called dialectical materialism. This is a theory of reality assuming continuous transformation of matter and dynamic interconnection of things and concepts and implies social transformation through socialism toward a classless society. Marx came to the conclusion that the only true value was the labor of the industrial working class. It was his thesis that capitalism had to expand in order to continue to exist and, as it spread, the proletariat class would correspondingly increase in numbers. According to his conception of history, capitalism contained the seeds of its own destruction and consequently it was inevitable that the classless state of society which he designated as Communism would ultimately come about. In order to expedite this, he theorized, it was necessary that the proletarian class, which would be greater in numbers than the bourgeoisie, be organized and be given leadership by a political party of all the workers of the world. The objective of this party would be to bring capitalism to an end and substitute for it a dictatorship of the proletariat in a socialist state. Eventually, according to his theory, the dictatorship of the proletariat would not be necessary because the state would wither away as soon as its citizens had become conditioned to living in a one-class society. Two of his most basic considerations were the class struggle and the world-wide character of the revolution. Much of this appears from the *Communist Manifesto* (Pet. Ex. 31), published by Marx and Engels in 1848.

Lenin, a Russian revolutionist, adapted Marxism to Russian revolutionary purposes.²⁴ He proceeded to implement it in a way that gave it a practical turn. He utilized slogans. Consequently, he gave capitalism a new name: "imperialism." The quintessence of imperialism is monopoly-capitalism which "is the eve of the proletariat social revolution." He recognized that for the success of the proletariat revolution two things were most important: rigidity of organization and flexibility of policy. Organizationally, one of his first postulates was the necessity of creating a homogeneous group of disciplined professional revolutionists, among whom no factionalism or dissent would be tolerated, as a nucleus for the party of the proletariat. It should be noted that the Communist Party was formed in 1898 in Russia.²⁵ Lenin's group therein, the Bolsheviks, obtained control of that party in Russia because it was an intransigent body which permitted no deviation or compromise.

Stalin later advanced the Marxist-Leninist ideas to a practicality which developed somewhat differently from Marxist theoretical schemes. He says (*History of the CPSU(B)*) (Pet. Ex. 330, p. 355):

The Marxist-Leninist theory is the science of the development of society, the science of the working-class movement the science of the proletarian revolution, the science of the building of the Communist society. And as a science it does not and cannot stand still, but develops and perfects itself. Clearly, in its development it is bound to become enriched by new experience and new knowledge, and some of its propositions and conclusions are bound to change in the course of time.

²⁴ See foreword to *What Is To Be Done?* (Pet. Ex. 417), by Alexander Trachtenberg, one of Respondent's leaders and manager of International Publishers.

²⁵ Trachtenberg's Foreword to *What Is To Be Done?* (Pet. Ex. 417).

are bound to be replaced by new conclusions and propositions corresponding to the new historical conditions.

What this means becomes clearer from what he previously stated (p. 355):

The power of the Marxist-Leninist theory lies in the fact that it enables the Party to find the right orientation in any situation, to understand the inner connection of current events, to foresee their course and to perceive not only how and in what direction they are developing in the present, but how and in what direction they are bound to develop in the future.

There is also clarification in what he says subsequently (p. 356) when he tells how Lenin altered Marxism because of his experience in the Russian revolutions of 1905 and 1917. The tactical aspects of the theory thus attains a flexibility which would appear to make it mean what the current leaders of the CPSU want it to mean. So regarded, the theory supplies an easy explanation for all phenomena and furnishes a justification for any line of conduct which these leaders have adopted.

Marx, Lenin, and Stalin represent the supreme authorities of what became known as Marxism-Leninism as these writings constitute its body. All postulated the revolution on a world-wide basis. Lenin, and after him Stalin, proclaimed that it was not necessary to wait until the proletariat throughout the entire world was ready for a revolution, but that the attack against the capitalist world rightfully began by breaking its chain at the weakest link, which proved to be Russia. The Communists in Russia having succeeded, they then sought help from the proletariat throughout the world to support their victory. They also proceeded to try to foment revolution in any part of the world where it had a chance of being successful. The best example of applied Marxism-Leninism is the Communist International. That this organization is based on Marxism-Leninism appears from the *History of the Communist Party of the Soviet Union (Bolsheviks)* (Pet. Ex. 330, pp. 231-232). (See also pp. 10 and 13, under Organization and Leadership, *supra*.) Using the Communist International as an instrument, the Soviet Union, as the leader of an integrated organization with subsidiary groups throughout the world, issued directives to the Communist parties in the several countries. What these directives were and how they applied to Respondent will appear in a discussion of the Classics and of the testimony of witnesses which follows, as well as in various other sections of this report.

Against this background, it is pertinent to inquire why the Classics were written. An examination of their content discloses that they were intended to create, promulgate, and advance the world revolution of the proletariat. At an intermediate stage, they concentrated in large measure on Russia. At no time, however, was the main objective forgotten and when the revolution was successful in Russia, the emphasis was again brought back to the revolution on an international scale.

It should be noted that in the summaries, paraphrases, and quotations from the Classics which follow, we have conscientiously striven, and, we believe, successfully so, for complete accuracy and have endeavored to hold closely to the essence of the material being analyzed. Where excerpts have been quoted, we have selected those which we consider representative of the whole tenor of the writing from which they are taken.

How basic the international and revolutionary factors of Marxism-Leninism are appears at its inception in *The Communist Manifesto* (Pet. Ex. 31); "The history of society is the history of class struggles" (p. 9), "The bourgeoisie has played a most revolutionary role in history" (p. 11). "* * * and are now to be superseded by the proletariat through similar means" (p. 15). The proletarians have become organized into a class and consequently into a political party (p. 18). Of all the classes opposing the bourgeoisie, the proletariat alone is a really revolutionary class (p. 19). The Communists are a proletarian party whose aim is the conquest of political power by the proletariat (p. 22). The proletariat will become the ruling class and will use its political supremacy to wrest all capital from the bourgeoisie. The measures used to do this will be different in different countries (p. 30). The Communists everywhere must support every revolutionary movement against the existing order of things. Their ends can only be attained by the forcible overthrow of all existing social conditions. Workingmen of all countries are exhorted to unite for the Communist revolution (p. 44).

This international and revolutionary aspect is further stressed in the writings of Lenin and Stalin. In *State and Revolution* (Pet. Ex. 139), Lenin objects to the "chauvinism" of those "leaders of Socialism" who would water down Marx's doctrine by limiting it to single states (p. 5). Speaking of the Russian Revolution of 1917, he states: "This revolution can be understood in its totality only as a link in the chain of Socialist proletarian revolutions called forth by the imperialist war" (p. 6). "A Marxist is one who extends the acceptance of the class struggle to the acceptance of the dictatorship of the proletariat" (p. 30). In *The Dictatorship of the Proletariat* (Pet. Ex. 423, pp. 47-48), one of Lenin's fundamental postulates is quoted by Stalin on the international question: International imperialism cannot live side by side with the Soviet Republic and the greatest difficulty of the Russian Revolution is "the necessity to solve international problems, the necessity to call forth the world revolution." Stalin makes this thought even clearer in *Foundations of Leninism*. He says (at p. 9) that Leninism is not merely a Russian but an international phenomenon; and (at p. 17) that the Russian Communists were impelled by the whole situation, domestic and foreign, to transfer the struggle to the international arena. The same thought is even more forcibly expressed in Stalin's definition of Leninism (*Problems of Leninism*, Pet. Ex. 138, pp. 7-9; see also p. 19). From this definition it is clear that the whole movement based on Marxism-Leninism is regarded by its founders and chief protagonists as an internationalism which must operate with common theory and strategy and tactics in all countries. It is inescapable that all those working for the ultimate ends of the movement must work in unison and in one cohesive organization on a worldwide basis. This thought is expressed strongly in the *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 3, p. 67):

4. It follows from the fundamental principles laid down above, that the policy of the Communist International on the National and Colonial questions must be chiefly to bring about a union of the proletarian and working masses of all nations and countries for a joint revolutionary struggle leading to the overthrow of capitalism, without which national equality and oppression cannot be abolished.

5. The political situation of the world at the present time has placed the question of the dictatorship of the proletariat in the foreground, and all the events of

world politics are inevitably concentrating around one point, namely, the struggle of the bourgeois world against the Russian Soviet Republic, which is grouping around itself the Soviet movements of the vanguard of the workers of all countries, and all national liberation movements of the colonial and subject countries, which have been taught by bitter experience that there can be no salvation for them outside of a union with the revolutionary proletariat, and the triumph of the Soviet power over Imperialism.

The same thought suffuses the Classics throughout. It is not a tenet that can be accepted here and rejected there. It is integral in the whole texture of the material of the movement which those Classics represent. Like a fast dye, it colors every portion of that movement and cannot be eradicated because it is of its very essence.

It would burden this report unduly to quote in extenso the references in the Classics to the international and revolutionary nature of Marxism-Leninism and the interrelation of the sections of the Communist parties in all countries which it requires. Attention is directed to a number of places where these references are deemed particularly significant:

Foundations of Leninism (Pet. Ex. 121, pp. 17-19; p. 45, last par. and p. 46); *History of the Communist Party of the Soviet Union* (B) (Pet. Ex. 330, pp. 273-75); *State and Revolution* (Pet. Ex. 139, pp. 5, 6); *The Theory of the Proletarian Revolution* (Pet. Ex. 422, pp. 85-89); *The Dictatorship of the Proletariat* (Pet. Ex. 423, pp. 48-49).

We conclude from the above that the Classics advocate a revolution of the proletariat on an international basis, through the instrumentality of an international organization.

The primary objective of the world revolution is the termination of capitalism and establishment of the dictatorship of the proletariat. Lenin used the word "imperialism" to designate what he calls the parasitism and decay of capitalism at its highest stage of historical development (*Imperialism*, Pet. Ex. 140, p. 14). This imperialism is the arch enemy of the proletariat.

Not the slightest progress can be made toward the solution of the practical problems of the Communist movement and of the impending social revolution unless the economic roots of this phenomenon are understood and unless its political and sociological significance is appreciated.

Imperialism is the eve of the proletarian social revolution. This has been confirmed since 1917 on a worldwide scale.

It should be noted that the Classics emphasize strongly the use of slogans. The word "imperialism" and its adjective-noun form "imperialist" are used therein to form a variety of slogans. Thus, it will be seen from *The History of the Communist Party of the Soviet Union* (Pet. Ex. 330, pp. 167-69) that the Bolsheviks advanced the slogan of "converting the imperialist war into a civil war" and the slogan-policy of "the defeat of one's own government in the imperialist war." As a corollary to this approach, wars are designated as "just" and "unjust." The "just" or "anti-imperialist" war is waged assertedly to liberate the oppressed from the yoke of imperialism. The "unjust" war is supposedly to conquer and enslave others. Wars of the first kind, the Bolsheviks supported. Of wars of the second kind, the Bolsheviks said, a resolute struggle must be waged against them to the point of revolution and the overthrow of one's own imperialist government. From these pages it will be seen that, according to Lenin, while capitalism is decaying and moribund, "imperialism" would not rot on the stalk; it could not be overthrown without a revolution.